

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re ENRON CORPORATION SECURITIES }
LITIGATION }

MDL-1446

This Document Relates to:

MARK NEWBY, et al., Individually and On
Behalf of All Others Similarly Situated,

Plaintiffs,

vs.

ENRON CORP., ET AL.,

Defendants.

CIVIL ACTION NO. H-01-3624
CONSOLIDATED CASES

CLASS ACTION

THE REGENTS OF THE UNIVERSITY
OF CALIFORNIA, et al., Individually and
On Behalf of All Others Similarly Situated,

Plaintiffs,

VS.

KENNETH L. LAY, et al.,

Defendants.

PAMELA M. TITLE, et al.,

Plaintiffs,

VS.

ENRON CORP., et al.,

Defendants.

CIVIL ACTION NO. H-01-3913

OFFICIAL COMMITTEE OF UNSECURED
CREDITORS OF ENRON CORP.,

CIVIL ACTION NO. H-04-0091

Plaintiffs,

VS.

ANDREW S. FASTOW, MICHAEL J.

KOPPER, BEN GLISAN, JR., RICHARD
B. BUY, RICHARD A. CAUSEY,
JEFFREY K. SKILLING, KENNETH L.
LAY, JEFFREY MCMAHON, JAMES V.
DERRICK,, JR., KRISTINA M.
MORDAUNT, KATHY LYNN, ANNE
YUAEGER-PATEL, ARTHUR ANDERSEN,
LLP, and CARL FASTOW, AS
ADMINISTRATOR OF THE FASTOW
FAMILY FOUNDATION,

Defendants.

ELAINE L. CHAO, SECRETARY OF THE
UNITED STATES DEPARTMENT OF
LABOR,

Plaintiff,

VS.

ENRON CORP., ET AL.,,

Defendants.

CIVIL ACTION NO. H-03-2257
(Consolidated with H-01-3913)

ORDER AMENDING JULY 11, 2003 SCHEDULING ORDER

The Court has considered Certain Plaintiffs' Motion Concerning Stay in Consolidated and Co-ordinated Actions (*Newby* Instrument No. 4568) and the Financial Institutions' Motion to Amend July 11, 2003 Scheduling Order (*Newby* Instrument Nos. 4593 and 4597). It is hereby

ORDERED that Certain Plaintiffs' Motion Concerning Stay in Consolidated and Co-ordinated Actions is **DENIED**; it is further

ORDERED that the Financial Institutions' Motion to Amend July 11, 2003 Scheduling Order is **GRANTED**; and it is

FURTHER ORDERED that Sections 1.C. and D. of the July 11, 2003 Scheduling Order are amended as follows:

"C. Once the Court has ruled on the class certification motions, Plaintiffs in each remaining consolidated/related/coordinated suit

shall within two weeks of the entry of the relevant class certification order file a statement indicating that Plaintiffs either (1) will elect whether to proceed under the consolidated amended complaint in *Newby* or *Tittle*, or both if appropriate, and dismiss their initial petitions/complaints or (2) will (i) proceed under their own petitions/complaints, (ii) file an amended complaint (to the extent Plaintiffs are entitled to amend as a matter of right under the Federal Rules of Civil Procedure), or (iii) request leave to amend their own pleadings. Plaintiffs electing either to file an amended complaint or to move for leave to file an amended complaint have within 30 days after filing their statement to file such amended complaint or motion for leave to amend.”

“D. If Plaintiffs opt to proceed under Section 1C(2)(i), then Defendants shall file any motions to dismiss, responsive pleadings, or amended responsive pleadings in those cases proceeding under currently operative petitions/complaints 30 days after the filing of Plaintiffs’ statement. If Plaintiffs opt to proceed under Sections 1.C.(2)(ii) or (iii), then Defendants shall file any motions to dismiss, responsive pleadings, or amended responsive pleadings within 30 days of either the filing of such an amended complaint or, in the event Plaintiffs’ motion for leave to amend is denied, the filing of this Court’s order denying Plaintiffs’ motion for leave. The stay on the filing of Defendants’ motions to dismiss, responsive pleadings, or amended responsive pleadings will remain in effect during the two-week period that Plaintiffs have to file their statement as described in Section 1.C., and it will remain in effect until Plaintiffs file an amended complaint, or until after the filing of this court’s

order denying Plaintiffs' motion for leave to amend. Plaintiffs' oppositions shall be filed within 30 days of the filing of motions to dismiss, and Defendants' replies shall be filed within 15 days thereafter."

Signed at Houston, Texas this 11th day of July, 2006.

Melinda Harmon
MELINDA HARMON
UNITED STATES DISTRICT JUDGE